IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.578 OF 2007

Rajendra Maruti Patil ...Applicant.

Versus

The State of Maharashtra ...Respondent.

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Mr.Shriniwas S. Patwardhan, Adv. for the Applicant.
Mr.Rajesh More, APP, for the State.

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CORAM : SMT.V.K.TAHILRAMANI,J.
DATED : 16th April, 2007.

P.C.:

1. Heard the learned Advocate for the Applicant and the learned APP for the State.

2. The applicant is seeking bail in C.R.No.52 of 2005 of Gadhinglaj Police Station. The said case is under Sections 363, 376 of IPC.

3. The prosecutrix has stated that she was attracted towards the applicant. There was an affair between the two of them and she has voluntarily had sexual intercourse with the applicant. One day, the couple was caught having sexual intercourse by the mother of the applicant. Hence both the applicant and the prosecutrix decided to run away from home. On account of the plan made by both of them, the prosecutrix accompanied the applicant and went with him to

Belgaon and some other places.

4. The prosecution is relying on a certificate which shows that the age of the prosecutrix was 15 years at the time of the incident. However, the prosecutrix as well as her mother who is the complainant have stated in their statements that the age of the prosecutrix was 16 years at the time of the incident.

5. Looking to all these facts, I am inclined to grant bail to the applicant.

6. The applicant- Rajendra Maruti Patil to be released on bail in the sum of Rs.10,000/- with one or two sureties to make up the said amount. The applicant shall report to Gadhinglaj Police Station once in a month, till conclusion of the trial.

7. Application is disposed of accordingly.

(SMT.V.K.TAHILRAMANI,J.)